

Kennecott Eagle Minerals

Jonathan C. Cherry, P.E.
General Manager
504 Spruce Street
Ishpeming, Michigan 49849
(906) 486-1257

July 31, 2009

Mr. Harold R. Fitch, Chief
Office of Geological Survey
Michigan Department of Environmental Quality
Post Office Box 30256
Lansing, Michigan 48909-7756

Dear Mr. Fitch:

Subject: **Additional Waiver of Permit Processing Time**

In a letter dated June 18, 2009 Kennecott Eagle Minerals Company ("Kennecott") waived the deadline set forth in Section 5(7) of Part 632 for the making of a proposed decision on Kennecott's Humboldt Mill non-ferrous metallic minerals permit under Part 632 of the Michigan Natural Resources Environmental Protection Act ("NREPA") submitted on December 26, 2009 until July 31, 2009. The waiver was provided to allow the Michigan Department of Environmental Quality ("Department") to coordinate their review of the Part 632 permit application with the review of Kennecott's Part 31 (discharges to surface water), Part 55 (air emissions) and Part 301 (fill) permits in conjunction with the project as allowed under Section 5(15) of Part 632.

Additional time beyond July 31, 2009 will be required to allow the Department to carefully review and evaluate Kennecott's response to the requests for clarification submitted by the Department to Kennecott in February, May and June. With this letter Kennecott waives the deadline set forth in Section 5(7) of Part 632 for the making of a proposed decision on the Humboldt Part 632 permit application until September 15, 2009.

In accordance with Section 5(15) of Part 632, this waiver will provide sufficient time to facilitate the Department's coordinated review of the Part 31, Part 55 and Part 301 permit applications and Kennecott's answers to all the Department's questions. Once the proposed decision on the mine permit is made, the Department may process the permit from that date forward in accordance with the deadline specified in Section 5(8) and 5(9) of Part 632. This waiver does not extend the review time beyond September 15, 2009.

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Should you have any questions about this waiver please don't hesitate to contact Vicky Peacey or me at 906-486-1257.

Sincerely,



Jon Cherry
General Manager

cc: Mr. Joe Maki, MDEQ
Dennis Donohue, Warner Norcross and Judd
Steve Donohue, Foth Infrastructure & Environment
Vicky Peacey, Kennecott Eagle Minerals Company
Alicia Duex, Kennecott Eagle minerals Company

File: EC-Humboldt-MPA-Corres to MDEQ

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